

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHADNEY HAMER,

Plaintiff,

v.

EVONNE MCGINTY, *et al*,

Defendants.

Case No. 22-12106

F. Kay Behm

United States District Judge

Kimberly G. Altman

United States Magistrate Judge

**OPINION AND ORDER ACCEPTING AND ADOPTING
THE MAGISTRATE JUDGE'S JUNE 29, 2023
REPORT AND RECOMMENDATION (ECF No. 79)**

Currently before the Court is Magistrate Judge Kimberly G. Altman's June 29, 2023 Report and Recommendation. (ECF No. 79). Magistrate Judge Altman recommends granting Plaintiff's Motion to Dismiss (ECF No. 78) and denying Defendant Wellpath Health Services Motion to Dismiss or for Summary Judgment (ECF No. 74) as moot. The court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The court nevertheless agrees with the Magistrate Judge's recommended disposition.

Therefore, the court **ACCEPTS** and **ADOPTS** the Magistrate Judge's Report and Recommendation (ECF No. 79), **GRANTS** Plaintiff's Motion to Dismiss (ECF No. 78), **DISMISSES** all defendants except Defendant McGinty, and **DENIES** defendant Wellpath's Motion to Dismiss or for Summary Judgment (ECF No. 74) as **MOOT**.

SO ORDERED.

Date: July 21, 2023

s/F. Kay Behm

F. Kay Behm

United States District Judge